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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
Portland Division

SARA SUAREZ,

Plaintiff,

v.

Oregon Department of Corrections (ODOC)  
Director Colette Peters, ODOC PREA  
Coordinator Ms. Ericka Sage, ODOC Deputy  
Director Brian Belleque, Tony Klein, ODOC  
Past Chief Medical Officer Dr Steve Shelton,  
ODOC Present Chief Medical Officer Dr.  
Christopher DiGiulio, ODOC Assistant  
Director of Correctional Services Heidi  
Steward, ODOC Health Services Manager Joe  
Bugher, Joe DeCamp, ODOC Chief Clinical  
Officer Danielle Fuzi, ODOC Chief  
Psychologist Dr. Don Dravis, ODOC  
Behavioral Health Services Administrator  
Dawnell Meyer, ODOC Assistant Director of  
Operations Michael Gower, ODOC Past  
Superintendent Rob Persson, John/Jane Doe  
CCCF Medical Director, Jane Doe CCCF  
Nursing Manager, John/Jane Doe BHS  
Counselors, John/Jane Doe Nurses, John/Jane  
Doe Security Staff, and State of Oregon,

Defendants.

Case No. 3:19-cv-00095 (lead)

PLAINTIFFS' STATUS REPORT  
(May 2019)

Plaintiffs in the consolidated cases noted above file this status report in anticipation of the status conference scheduled for March 6, 2019.

1. At the time of this report Plaintiff has filed a total of nine cases: *Brelín v. Peters et al* 3:19-cv-00672; *Smith v. Peters et al* 3:19-cv-00275; *Devlin v. Peters et al* 3:19-cv-00234; *Jackson v. Peters et al* 3:19-cv-00515; *Carter v. Peters et al* 3:19-cv-00276; *Gomes v. Peters et al* 3:19-cv-00573; *Suarez v. Peters et al* 3:19-cv-00095; *Sweeney v. Peters et al* 3:19-cv-00682 ; *Vitallero v. Peters* 3:19-cv-00174.
2. All defendants, excepting Klein, are represented by the Oregon Department of Justice and have filed answers except for the Brelín and Sweeney matters referenced above. The defendants expect to file answers in Brelín and Sweeney no later than June 14, 2019.
3. Mr. Klein retained separate counsel who has filed answers in all matters.
4. The parties are aware that attorney Mr Leonard Berman filed a related lawsuit on behalf of alleged Klein victim Melinda Walker in *Walker v. Klein et al* 3:19-cv-00720MO. No defendant has been served or asked to waive service.
5. The parties agreed that any case filed in the United States District Court raising similar allegations to those raised in the above captioned matters should be tracked together for purposes of discovery and dispositive motions. The parties further agree each plaintiff and defendant reserved the right to make any argument concerning joinder or severance of claims for trial, and that those motions shall be filed with any dispositive motions.
6. The Plaintiff sent a lengthy First Request for Production of documents to the Department of Justice. The Department of Justice was waiting for the final signed Stipulated Protective Order to be filed. At the date of this writing Plaintiff has not received any discovery. State

Defendants agree to provide their response to the request for production and the first stage of discovery documents by June 14, 2019.

7. The parties have agreed to a proposed Case Management schedule which is separately filed with the court.
8. The parties have agreed to allow a brief tolling of any applicable statute of limitation to name the John Does. The State of Oregon is providing specialized discovery to assist with identifying and naming the John Does Defendants. If plaintiff thereafter name the Doe defendants listed as placeholders for the allegations raised in the complaints no later than September 2, 2019, and if the Oregon DOJ determines that those individuals are entitled to a defense and indemnity under ORS 30.285, the State Defendants will agree that the allegations against the Doe defendants relate back to the initial complaint filing dates.

Dated this 20<sup>th</sup> day of May 2019.

Respectfully submitted,

/s/Michelle R. Burrows  
Michelle R. Burrows OSB86160  
Attorney for Plaintiffs